

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:07-cr-295

v.

HON. JANET T. NEFF

MIGUEL ANGEL ESTRADA,

Defendant.

MEMORANDUM OPINION AND ORDER

Defendant Miguel Angel Estrada has filed a motion for modification or reduction of sentence (Dkt 174) pursuant to 18 U.S.C. §3582(c)(2) on the basis of Amendment 782 of the United States Sentencing Guidelines, made retroactive by the Sentencing Commission. The U.S. Probation Department filed a Sentence Modification Report (Dkt 196) finding the defendant eligible for the reduction. The parties filed responses to the Sentence Modification Report (Dkts 202, 203).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 782 of the United States Sentencing Guidelines reduced by two levels the offense levels assigned to the quantities that trigger the statutory mandatory minimum penalties in U.S.S.G. §§ 2D1.1 and 2D1.11. These modifications were made retroactive effective November 1, 2014. U.S.S.G. § 1B1.10.

Having fully considered the Sentence Modification Report (Dkt 196) and the responses filed by the parties, the Court has determined that defendant is eligible to a reduction of sentence pursuant to the policy statement of the U.S. Sentencing Commission.

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 174) pursuant to 18 U.S.C. § 3582(c)(2) is GRANTED. Defendant's sentence is reduced to 120 months, as it is the mandatory minimum sentence, with an effective date of November 1, 2015.

DATED: September 4, 2015

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge